

## **REMARKS**

### **The Amendments**

The claims are amended to address the claim objection and rejections under 35 U.S.C. §112. The amendments do not narrow the scope of the claims. New claim 48 is supported, for example, by the disclosure at page 2, lines 21-23.

### **The Claim Objection and Rejections under 35 U.S.C. §112, first and second paragraph**

The objection to claim 31 and the rejections under 35 U.S.C. §112, first and second paragraphs, are believed to be overcome by the above claim amendments.

### **The Rejections under 35 U.S.C. §103 based on Bonin**

The rejection of claims 31-32, 34-39 and 47 under 35 U.S.C. §103, as being obvious over Bonin (U.S. Patent No. 5,543,230) in view of Lewis (U.S. Patent No. 4,026,714), or Lewis in view of Bonin, and of claim 33 further in view of Hentzelt (U.S. Patent No. 4,173,668) and/or Balduin (WO 98/42540 or US 6,280,547) are respectfully traversed.

The process of the invention is applied specifically to phosphate-based glasses in conjunction with particular kinds of layers. These provide for optical quality bonds between the phosphate-based glass layers. Such optical bonds are not the subject matter of any of the references. All of the cited references relate to non-analogous art, not dealing with the field of the invention. As previously established, Bonin discloses fireproofing gels which have nothing to do with obtaining the kinds of bonds obtainable with the claimed process. They have to do

with rendering laminated glasses fireproof, again, a non-analogous art. No motivation exists whatsoever to employ the fireproofing gels of Bonin et al. in conjunction with the specific phosphate-based glass surfaces recited in the claims of this application. Further, the fireproofing gels of Bonin, although discloses for use as an intermediate layer in laminated glass constructions are not disclosed as providing a bond between such structures – certainly not an optically suitable bond. Further, Bonin does not disclose any step of curing the compositions to form such a bond. Bonin only involves gelling the fireproof material, not curing it to provide a bond.

Lewis is newly cited for the proposition that it would have been obvious to laminate two phosphate-based glass surfaces together using a gel material of Bonin as an intermediate layer. Applicants respectfully submit that Lewis does not disclose laminating two phosphate-based glass surfaces by any method of bonding. Lewis discloses laminating of an inorganic glass layer with a polymer layer or with a silicate glass layer; see, e.g., col. 8, line 59, to col. 9, line 20. There is no suggestion to bond together two phosphate-based glass surfaces. Further, even if Lewis did disclose bonding together two phosphate-based glass surfaces, there would no motivation or suggestion to use the fireproofing gels of Bonin for this purpose. As discussed above, the Bonin gels are provided for fireproofing and there would be no motivation to use them to make the laminates of Lewis with such materials. Lewis is directed to providing a mist-free glass and there is no indication of any desire or need for fireproof materials. Further, it is evident that the laminated materials in Lewis – used for example in windshields – must be bonded with an optically transparent bond. There is no suggestion that the Bonin gels could provide such a bond. To the contrary, one of ordinary skill in the art would expect that a gel would not provide an optically transparent bond.

Since the combination of Bonin and Lewis fails to suggest the features of applicants' independent claim, the further combination of references relating to dependent claims also fails to render those claims obvious to one of ordinary skill in the art.

For all of the above reasons, the rejections under 35 U.S.C. §103 should be withdrawn.

**The Rejection under 35 U.S.C. §103 based on Ammons**

The rejection of claims 31-33 and 35-39 under 35 U.S.C. §103, as being obvious over Ammons (U.S. Patent No. 3,965,057) in view of Lewis or Lewis in view of Ammons is respectfully traversed.

Applicants respectfully disagree that Ammons discloses making a phosphate-based glass composite. Ammons discloses a polyurethane composition containing a very small amount, less than 1%, of adhesion promoters, which can include certain phosphates. The polyurethane is applied to a glass to make a safety glass having good energy absorption. There is no suggestion to use a phosphate-based glass in Ammons and no motivation is apparent why one of ordinary skill in the art would use a phosphate-based glass for the Ammons applications, particularly for car windshields.

Lewis is discussed above and that discussion is incorporated herein by reference. As shown above, contrary to the allegation in the Office Action, Lewis fails to disclose laminating two phosphate-based glass surfaces together. Ammons also fails to disclose bonding or laminating two phosphate-based glass surfaces together. Since neither reference discloses or suggests this feature of the claimed invention, no combination of these two references can render the claimed invention obvious to one of ordinary skill in the art.

Further, analogous to the argument above for lack of motivation to combine Bonin and Lewis, even if Lewis did disclose bonding together two phosphate-based glass surfaces, there would be no motivation or suggestion to use the materials of Ammons for this purpose. The Ammons polyurethane materials are used to provide energy absorption for a safety glass and there would be no motivation to use them to make the laminates of Lewis with such materials. Lewis is directed to providing a mist-free glass and there is no indication of any desire or need for energy absorption. Regardless, neither reference, both primarily directed to providing windshields for cars, would provide any motivation to laminate or bond together two phosphate-based glass surfaces.

For all of the above reasons, the rejections under 35 U.S.C. §103 over any combination of Ammons and Lewis should be withdrawn.

#### **The Obviousness-type Double Patenting Rejection**

The obviousness-type double patenting rejection of claims 31-39 and 47 over claims 19-30 and 38 of U.S. Patent No. 6,652,972 in view of Bonin and/or Sugahara (U.S. Patent No. 4,018,616) is respectfully traversed. Until such time as allowable subject matter is indicated herein, filing of a terminal disclaimer, for example, to overcome the double patenting rejection would be premature. For example, the claims may eventually be amended in a way that removes the rejection.

#### **Statement re Acquiescence**

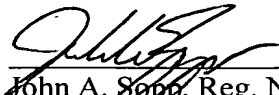
The Office Action alleges that applicants did not "challenge the conventional statements

made in the previous action" and therefore acquiesced in those statements. If there were such statement that applicants did not challenge, applicants respectfully disagree that this evidences their acquiescence in them. Applicants challenged that rejections as a whole – successfully – and this was all that was necessary. Whether they may or may not have challenged other statements is not material and does not evidence an acquiescence therein and applicants deny any acquiescence on any point. Similarly, the rejections herein are overcome by applicants remarks. Any points not remarked upon are not acquiesced in but merely not necessary to address at this time.

It is submitted that the claims are in condition for allowance. However, the Examiner is kindly invited to contact the undersigned to discuss any unresolved matters.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

  
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